

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board hereby gives Notice of Intended Action to amend Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

In March 2014, an elevator industry trade publication published a detailed study about children being trapped and seriously injured due to hazardous elevator doors. The study also described weaknesses in the applicable codes. The Elevator Safety Board (Board) studied this issue, and the proposed amendments are the result. The entrapment risk occurs primarily in elevators built to the residential elevator code, and elevators built to the residential code are not allowed in buildings under the Board’s jurisdiction. However, for a number of years Iowa law allowed residential elevators to be installed in public buildings. It is estimated that there are about 200 residential elevators operating in public buildings in Iowa. The proposed amendments require that safety devices be installed in these elevators to prevent child entrapment.

The purposes of these amendments are to protect the health and safety of the public and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on February 24, 2015, a public hearing will be held on February 25, 2015, at 9 a.m. in the Capitol View Room, 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted by interested persons no later than February 25, 2015, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

No variance procedures are included in this rule making. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, an impact on jobs may occur. However, these rules are intended to prevent a specific hazard to children with a minimum of expense.

These amendments are intended to implement Iowa Code chapter 89A.

The following amendments are proposed.

ITEM 1. Adopt the following new rule 875—72.26(89A):

875—72.26(89A) Child safety guards. Unless the car door on a passenger elevator consists of a solid panel, the following criteria shall be met:

72.26(1) A multipoint light curtain shall be installed between the car door and the edge of the car platform.

72.26(2) A second multipoint light curtain shall be installed at the hoistway opening of each floor where a gap of more than 5 inches exists between the car light curtain and the hoistway door.

72.26(3) Each light curtain required by this rule must deactivate the elevator if the light curtain does not function or if the light curtain is obstructed by an object larger than a 4-inch ball.

ITEM 2. Adopt the following new rule 875—73.27(89A):

875—73.27(89A) Child safety guards. Unless the car door on a passenger elevator consists of a solid panel, the following criteria shall be met:

73.27(1) A multipoint light curtain shall be installed between the car door and the edge of the car platform.

73.27(2) A second multipoint light curtain shall be installed at the hoistway opening of each floor where a gap of more than 5 inches exists between the car light curtain and the hoistway door.

73.27(3) Each light curtain required by this rule must deactivate the elevator if the light curtain does not function or if the light curtain is obstructed by an object larger than a 4-inch ball.